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GROUND WATER QUALITY BUREAU
DISCHARGE PERMIT
Issued under 20.6.2 NMAC

Facility Name:	City of Jal Wastewater Treatment Facility
Discharge Permit Number:	DP-59
Facility Location:	Terminus of South Water Treatment Road Jal, NM
County:	Lea
Permittee:	Matt White, City Manager
Mailing Address:	City of Jal P.O. Box 340 Jal, NM 88252
Facility Contact:	Van Myrick, Public Works Director
Telephone Number/Email:	(575) 395-3340 ext. 224/vanmyrick@cityofjal.us
Permitting Action:	Renewal and Modification
Permit Issuance Date:	DATE
Permit Expiration Date:	DATE
NMED Permit Contact:	Gerald Knutson
Telephone Number/Email:	(505) 660-7189/gerald.knutson@state.nm.us

MICHELLE HUNTER
Chief, Ground Water Quality Bureau

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I. INTRODUCTION

The New Mexico Environment Department (NMED) issues this groundwater discharge permit renewal and modification (Discharge Permit or DP-59) to the City of Jal (Permittee) pursuant to the New Mexico Water Quality Act (WQA), NMSA 1978 §§74-6-1 through 74-6-17, and the New Mexico Water Quality Control Commission (WQCC) Ground and Surface Water Protection Regulations, 20.6.2 NMAC.

NMED's purpose in issuing this Discharge Permit, and in imposing the requirements and conditions specified herein, is to control the discharge of water contaminants from the City of Jal Wastewater Treatment Facility (Facility) in order to protect groundwater and those segments of surface water gaining from groundwater inflow for present and potential future use as domestic and agricultural water supply and other uses, and to protect public health. It is NMED's determination in issuing this Discharge Permit that the Permittee has met the requirements of Subsection C of 20.6.2.3109 NMAC. The Permittee is responsible for complying with the terms and conditions of this Discharge Permit pursuant to Section 20.6.2.3104 NMAC; failure to do so may result in enforcement action by NMED (20.6.2.1220 NMAC).

Described below are the activities that produce the discharge, the location of the discharge, and the quantity, quality and flow characteristics.

The Facility receives and treats at a volume of up to 420,000 gallons per day (gpd) of municipal wastewater. Treated wastewater (reclaimed domestic wastewater) stores in two synthetically lined impoundments and discharges to a 64-acre golf course and to City of Jal property, i.e., reuse areas, for irrigation; and/or transfers offsite for other authorized uses. The Permittee discharges treated wastewater, that is not reclaimed for reuse or transferred offsite, to a 150-acre surface disposal area. The Discharge Permit requires the reclaimed domestic wastewater used for irrigation or transferred off-site to attain the quality standards established by NMED making it suitable for uses in which public exposure is likely, i.e., Class 1B standards.

The Discharge Permit modification consists of five changes: 1) an increase of municipal wastewater the Facility receives and treats from 350,000 gpd to 420,000 gpd, 2) an upgrade from the present synthetically lined impoundment wastewater treatment plant (WWTP) to a mechanical WWTP, 3) an increase in the number of reuse locations to include the City of Jal properties, 4) an authorization to transfer reclaimed domestic wastewater off-site for oil company operations approved by the Oil Conservation Division (OCD), and 5) an addition of a 150-acre treated wastewater surface disposal area.

The discharge may contain water contaminants or toxic pollutants elevated above the standards of Section 20.6.2.3103 NMAC and is not subject to the exemption at Subsection 20.6.2.3105.A NMAC.

The Facility is located at the terminus of South Water Treatment Road, in Jal, in Section 29, Township 25S, Range 37E, in Lea County. The two-storage impoundments are located in Section 17, Township 25S, Range 37E, in Lea County. The reuse irrigation areas and the surface disposal area are located in Sections 18, 19, 20, 29, and 30 in Township 25S, Range 37E, in Lea County. A discharge at the Facility is most likely to affect groundwater at a depth of approximately 37 to 79 feet and having a total dissolved solids (TDS) concentration of approximately 1,700 milligrams per liter.

NMED issued the original Discharge Permit to the Permittee on June 29, 1979 and subsequently renewed and modified the Permit on November 9, 1984, renewed the Permit on December 12, 1989, renewed the Permit on May 1, 1995, renewed the Permit on January 12, 2001, renewed the Permit on November 10, 2008, and renewed the Permit on November 17, 2015. The application (i.e., discharge plan) associated with this Discharge Permit consists of the materials submitted by the Permittee dated July 20, 2020, September 22, 2020, and materials contained in the administrative record prior to issuance of this Discharge Permit.

The Permittee shall manage the discharge in accordance with all conditions and requirements of this Discharge Permit.

NMED reserves the right to require a Discharge Permit modification in the event NMED determines that the Permittee is or may be violating, or is likely to violate in the future, the requirements of 20.6.2 NMAC or the standards of Section 20.6.2.3103 NMAC. NMED reserves this right pursuant to Section 20.6.2.3109 NMAC. An NMED requirement to modify the Discharge Permit may result from a determination by the department that structural controls and/or management practices approved under this Discharge Permit are insufficiently protective of groundwater quality and human health. NMED reserves the right to require the Permittee implement abatement of water pollution and remediate groundwater quality.

NMED issuance of this Discharge Permit does not relieve the Permittee of the responsibility to comply with the WQA, WQCC Regulations, and any other applicable federal, state and/or local laws and regulations, such as zoning requirements and nuisance ordinances.

This Discharge Permit may use the following acronyms and abbreviations.

Abbreviation	Explanation		Abbreviation	Explanation
BOD_5	biochemical oxygen demand (5-day)		NMED	New Mexico Environment Department
CAP	Corrective Action Plan		NMSA	New Mexico Statutes Annotated
CFR	Code of Federal Regulations		NO_3-N	nitrate-nitrogen
CFU	colony forming unit		NTU	nephelometric turbidity units
Cl	chloride		QA/QC	Quality Assurance/Quality Control

Abbreviation	Explanation		Abbreviation	Explanation
EPA	United States Environmental Protection Agency		TDS	total dissolved solids
gpd	gallons per day		TKN	total Kjeldahl nitrogen
LAA	land application area		total nitrogen	= TKN + NO_3-N
LADS	Land Application Data Sheet(s)		TRC	total residual chlorine
mg/L	milligrams per liter		TSS	total suspended solids
mL	milliliters		WQA	New Mexico Water Quality Act
MPN	most probable number		WQCC	Water Quality Control Commission
NMAC	New Mexico Administrative Code		WWTF	Wastewater Treatment Facility
NMED	New Mexico Environment Department		WWTP	Wastewater Treatment Plant

II. FINDINGS

In issuing this Discharge Permit, NMED finds the following.

1. The Permittee is discharging effluent or leachate from the Facility so that such effluent or leachate may move into groundwater of the State of New Mexico that has an existing concentration of 10,000 mg/L or less of TDS, within the meaning of Subsection A of 20.6.2.3101 NMAC, without exceeding standards of 20.6.2.3103 NMAC for any water contaminant.

2. This Discharge Permit allows the Permittee to discharge effluent or leachate from the Facility directly or indirectly into groundwater pursuant to this Discharge Permit and Sections 20.6.2.3000 through 20.6.2.3114 NMAC.

3. The discharge from the Facility is not subject to any of the exemptions of Section 20.6.2.3105 NMAC.

III. AUTHORIZATION TO DISCHARGE

The Permittee is responsible for ensuring that discharges authorized by this Discharge Permit are consistent with the terms and conditions herein pursuant to 20.6.2.3104 NMAC.

This Discharge Permit authorizes the Permittee to receive and treat up to 420,000 gpd of municipal wastewater using a WWTF consisting of a synthetically lined impoundment WWTP. The Permittee is authorized to upgrade to a mechanical WWTP. This Discharge Permit authorizes the Permittee to discharge reclaimed domestic wastewater to two synthetically lined storage impoundments prior to discharging to reuse areas and off-site transfer in accordance with this Discharge Permit as follows:

- for spray irrigation of the 64-acre community golf course;
- for spray irrigation of future City of Jal landscape locations subject to NMED approval; and
- for off-site transfer to oilfield activities subject to OCD regulations from a standpipe located at the two-synthetically lined storage impoundments.

This Discharge Permit also authorizes the Permittee to discharge treated wastewater from the Facility to a 150-acre surface disposal area via spray disposal.

[20.6.2.3104 NMAC, Subsection C of 20.6.2.3106 NMAC, Subsection D of 20.6.2.3109 NMAC]

IV. CONDITIONS

NMED issues this Discharge Permit for the discharge of water contaminants subject to the following conditions.

A. OPERATIONAL PLAN

#	Terms and Conditions
1.	The Permittee shall implement the following operational plan to ensure compliance with Title 20, Chapter 6, Parts 2 and 4 NMAC. [Subsection C of 20.6.2.3109 NMAC]
2.	The Permittee shall operate in a manner that does not violate standards and requirements of Sections 20.6.2.3101 and 20.6.2.3103 NMAC. [20.6.2.3101 NMAC, 20.6.2.3103 NMAC, Subsection C of 20.6.2.3109 NMAC]

Operational Actions with Implementation Deadlines

#	Terms and Conditions
3.	Prior to discharging to the proposed WWTP, the Permittee shall submit an up-to-date diagram of the layout of the wastewater treatment system to NMED. The diagram shall include the following elements: • a north arrow; • the issuance date of the diagram; • all components of the wastewater treatment system; • all groundwater monitoring wells; • all flow measurement devices; and • all wastewater sampling locations.

#	Terms and Conditions
	The Permittee shall ensure that any element that cannot be directly shown due to its location inside of existing structures, or because it is buried without surface identification, shall be on the diagram in a schematic format and identified as such. [Subsection C of 20.6.2.3106 NMAC, Subsection A of 20.6.2.3107 NMAC]
4.	Prior to discharging reclaimed domestic wastewater from the two-synthetically lined storage impoundments to any approved City of Jal reuse area(s), the Permittee shall submit to NMED an up-to-date scaled map(s) of the entire reclaimed wastewater reuse distribution system. The Permittee shall ensure the map(s) is drawn to scale and includes the following elements and necessary labels: • a graphical scale; • a north arrow; • the issuance date of the map; • all reuse areas associated distribution pipelines; • all backflow prevention methods/devices; and • all flow measurement devices. The Permittee shall ensure that any element that cannot be directly shown due to its location inside of existing structures, or because it is buried without surface identification, shall be on the map in a schematic format and identified as such. [Subsection C of 20.6.2.3106 NMAC, Subsection A of 20.6.2.3107 NMAC]
5.	Prior to discharging treated wastewater from the Facility to the surface disposal area, the Permittee shall submit to NMED an up-to-date scaled map of the distribution system. The Permittee shall ensure the map is drawn to scale and includes the following elements and necessary labels: • a graphical scale; • a north arrow; • the issuance date of the map; • all surface disposal area locations; • all associated distribution pipelines; • all flow measurement device locations; and • all groundwater monitoring wells. The Permittee shall ensure that any element that cannot be directly shown due to its location inside of existing structures, or because it is buried without surface identification, shall be on the map in a schematic format and identified as such. [Subsection C of 20.6.2.3106 NMAC, Subsection A of 20.6.2.3107 NMAC]

#	Terms and Conditions
6.	A minimum of 90 days prior to construction of the proposed WWTP, the Permittee shall submit final construction plans and specifications for NMED's review of the proposed WWTP. The construction plans and specifications shall bear the seal and signature of a licensed New Mexico professional engineer (pursuant to New Mexico Engineering and Surveying Practice Act and the rules promulgated under that authority) and shall include the supporting design calculations. The submitted documentation shall include the following elements. a) Wastewater system component(s) design, e.g., lift stations, valves, transfer lines, process units and associated details of the WWTP. b) Flow meter design detail - Flow meters to measure the volume of wastewater discharged to the WWTP then discharged to reuse areas or the surface disposal area. c) Specifications for all equipment, materials and installation procedures the Permittee will use in the construction of the wastewater system. Prior to constructing the WWTP and its associated components, the Permittee shall obtain written verification from NMED that the plans and specifications meet the requirements of this Discharge Permit. [Subsections A and C 20.6.2.1202 NMAC, Subsection C of 20.6.2.3106 NMAC, Subsection C of 20.6.2.3107 NMAC, NMSA 1978, §§ 61-23-1 through 61-23-32]
7.	Within 30 days of completing construction of the WWTP, the Permittee shall submit record drawings to NMED that bear the seal and signature of a licensed New Mexico professional engineer (pursuant to the New Mexico Engineering and Surveying Practice Act and the rules promulgated under that authority) for the constructed WWTP. [Subsections A and C of 20.6.2.1202 NMAC, Subsection C of 20.6.2.3109 NMAC, NMSA 1978, §§ 61-23-1 through 61-23-32]
8.	Prior to discharging reclaimed domestic wastewater to a newly authorized reuse area, the Permittee shall install the infrastructure necessary to transfer, distribute, and apply reclaimed domestic wastewater at the authorized reuse area. The Permittee shall ensure documentation confirming installation of the distribution system consists of a narrative statement including the system type and location, and the method of backflow prevention employed (if applicable). The Permittee shall provide this documentation to NMED prior to discharging to the reuse area. [Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]
9.	Prior to discharging treated wastewater to the surface disposal area, the Permittee shall install the infrastructure necessary to transfer, distribute, and apply treated wastewater

#	Terms and Conditions
	to the surface disposal area. The Permittee shall ensure documentation confirming installation of the distribution system consists of a narrative statement including the system type and location. The Permittee shall provide this documentation to NMED prior to discharging to the surface disposal area. [Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]
10.	Prior to discharging treated wastewater to the surface disposal area, the Permittee shall install fences around the surface disposal area to control access by the general public and animals. The fences shall consist of four-strand barbed wire and a locking gate, or other access controls approved by NMED. Documentation of fence installation shall consist of a narrative statement describing the fences and gates and date-stamped photographs. The Permittee shall provide this documentation to NMED prior to discharging to the surface disposal area. [Subsections B and C of 20.6.2.3109 NMAC, NMSA 1978, § 74-6-5.D]
11.	The Permittee shall post signs at all authorized reuse areas in English and Spanish warning the public of the non-potable nature of the irrigation water. The Permittee shall post signs at the entrance to the reuse areas and at other locations where public exposure to reclaimed domestic wastewater may occur. The signs shall state: **NOTICE: THIS AREA IS IRRIGATED WITH RECLAIMED WASTEWATER - DO NOT DRINK. AVISO: ESTA ÁREA ESTÁ REGADA CON AGUAS NEGRAS RECOBRADAS - NO TOMAR.** The Permittee shall ensure that the signs remain visible and legible for the term of this Discharge Permit. The Permittee may submit alternate wording and/or graphics to NMED for approval. The Permittee shall submit documentation demonstrating sign installation as required by this permit condition for all newly authorized reuse areas. The submitted documentation shall consist of a narrative statement describing the number and location of the signs and date-stamped photographs. The Permittee shall submit this documentation to NMED in the next required periodic monitoring report following sign installation. [Subsections B and C of 20.6.2.3109 NMAC, NMSA 1978, § 74-6-5.D]
12.	Prior to discharging treated wastewater to the surface disposal area, the Permittee shall post signs indicating that the wastewater discharged to the surface disposal area is not potable. The Permittee shall post signs at the surface disposal area entrance and other locations where there is potential for public contact with treated wastewater. Posted signs shall be in English and Spanish and shall be legible during the term of this Discharge Permit.

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	The Permittee shall provide this documentation to NMED prior to discharging to the surface disposal area. [Subsections B and C of 20.6.2.3109 NMAC, NMSA 1978, § 74-6-5.D]

Operating Conditions

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13.	The Permittee shall ensure that treated wastewater discharged from the existing synthetically lined impoundment WWTP, after disinfection, does not exceed the following discharge limit. **Total Nitrogen: 30 mg/L** [Subsection C of 20.6.2.3109 NMAC]
14.	The Permittee shall ensure that treated wastewater discharged from the proposed WWTP authorized by this Discharge Permit, after disinfection, does not exceed the following discharge limit. **Total Nitrogen: 15 mg/L** [Subsection C of 20.6.2.3109 NMAC]
15.	The Permittee shall ensure that Class 1B reclaimed domestic wastewater discharged from the disinfection unit does not exceed the following discharge limits.

Test	30-day Average	Maximum
Fecal coliform	**100 CFU or MPN/100 mL**	**200 CFU or MPN/100 mL**
BOD_5	**30 mg/L**	**45 mg/L**
TSS	**30 mg/L**	**45 mg/L**
TRC	**Monitor Only**	**Monitor Only**

[Subsections B and C of 20.6.2.3109 NMAC, NMSA 1978, § 74-6-5.D]

16.	The Permittee shall ensure that treated wastewater discharged from the disinfection unit does not exceed the following discharge limits.

Test	30-day Average	Maximum

#	Terms and Conditions
	<table><tr><td>Fecal coliform</td><td>**1,000 CFU or MPN/100 mL**</td><td>**5,000 CFU or MPN/100 mL**</td></tr><tr><td>TRC</td><td>**Monitor Only**</td><td>**Monitor Only**</td></tr></table> [Subsections B and C of 20.6.2.3109 NMAC, NMSA 1978, § 74-6-5.D]
17.	The Permittee shall apply reclaimed domestic wastewater evenly throughout each reuse area such that the amount of total nitrogen applied does not exceed 200 pounds per acre in any rolling 12-month period. The Permittee shall not adjust nitrogen content to account for volatilization or mineralization processes. The Permittee shall prevent excessive ponding from occurring due to the discharge. [Subsection C of 20.6.2.3109 NMAC]
18.	The Permittee shall apply treated wastewater evenly throughout the surface disposal area such that the amount of total nitrogen applied does not exceed 200 pounds per acre in any rolling 12-month period. The Permittee shall not adjust nitrogen content to account for volatilization or mineralization processes. The Permittee shall prevent excessive ponding from occurring due to the discharge. [Subsection C of 20.6.2.3109 NMAC]
19.	The Permittee shall ensure adherence to the following general requirements for above-ground use of Class 1B reclaimed domestic wastewater. a) The Permittee shall install and maintain signs in English and Spanish at all reuse areas such that they are visible and legible for the term of this Discharge Permit. The Permittee shall post signs at the entrance to reuse areas and at other locations where public exposure to reclaimed domestic wastewater may occur. The signs shall state: **NOTICE: THIS AREA IS IRRIGATED WITH RECLAIMED WASTEWATER - DO NOT DRINK. AVISO: ESTA ÁREA ESTÁ REGADA CON AGUAS NEGRAS RECOBRADAS - NO TOMAR.** The Permittee may submit alternate wording and/or graphics to NMED for approval. b) Reclaimed domestic wastewater systems shall have no direct or indirect cross connections with public water systems or irrigation wells pursuant to the latest revision of the New Mexico Plumbing Code (14.8.2 NMAC) and New Mexico Mechanical Code (14.9.2 NMAC). c) Above-ground use of reclaimed domestic wastewater shall not result in excessive ponding of wastewater. The Permittee shall not discharge reclaimed domestic wastewater at times when the reuse area(s) is saturated or frozen. d) The Permittee shall confine discharge of reclaimed domestic wastewater to the reuse area(s).

#	Terms and Conditions
	e) The Permittee shall prohibit discharge of reclaimed domestic wastewater to crops used for human consumption. f) Water supply wells within 200 feet of a reuse area shall have adequate wellhead construction pursuant to 19.27.4 NMAC. g) Existing and accessible portions of the reclaimed domestic wastewater distribution system (with the exception of application equipment such as sprinklers or pivots) shall be colored purple or clearly labeled as being part of a reclaimed domestic wastewater distribution system. Piping, valves, outlets, and other plumbing fixtures shall be purple pursuant to the latest revision of the New Mexico Plumbing Code (14.8.2 NMAC) and New Mexico Mechanical Code (14.9.2 NMAC) to differentiate piping or fixtures used to convey reclaimed wastewater from those intended for potable or other uses. h) Valves, outlets, and sprinkler heads used in reclaimed wastewater systems shall be accessible only to authorized personnel. The Permittee shall demonstrate adherence to these requirements by submitting documentation consisting of narrative statements and date-stamped photographs as appropriate. The Permittee shall submit the documentation to NMED once during the term of this Discharge Permit in the next required periodic monitoring report after the issuance of the Discharge Permit. [Subsections B and C of 20.6.2.3109 NMAC, NMSA 1–78, § 74-6–5.D]
20.	The Permittee shall meet the following setbacks, access restrictions and equipment requirements for spray irrigation using Class 1B reclaimed domestic wastewater. a) Maintain a minimum 100-foot setback between any dwellings or occupied establishments and the edge of the reuse area(s). b) Postpone irrigation using reclaimed domestic wastewater at times when windy conditions may result in drift of reclaimed wastewater outside the reuse area(s). c) Apply reclaimed domestic wastewater at times and in a manner that minimizes public contact. d) Limit the spray irrigation system to low trajectory spray nozzles. [Subsections B and C of 20.6.2.3109 NMAC, NMSA 1–78, § 74–5.D]
21.	The Permittee shall meet the following setbacks, access restrictions and equipment requirements for spray disposal of treated wastewater. a) Maintain a minimum 500-foot setback between any dwellings or occupied establishments and the edge of the surface disposal area. b) Postpone the disposal of treated wastewater at times when windy conditions may result in drift of treated wastewater outside the surface disposal area.

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	c) Restrict access to the surface disposal area using perimeter fencing with four-strand barbed wire and a locking gate, or other access controls approved by NMED. d) Prohibit public access during times when treated wastewater is being applied to the surface disposal area. e) Limit the spray disposal system to low trajectory spray nozzles. f) Prohibit the irrigation of fodder, fiber and seed crops for milk producing animals with treated wastewater. [Subsections B and C of 20.6.2.3109 NMAC, NMSA 1–78, § 74-6-5.D]
22.	The Permittee shall meet the following requirements for the off-site transfer of reclaimed domestic wastewater for oilfield activities subject to OCD regulations. a) Restrict access to the reclaimed domestic wastewater distribution system (standpipe). Transfer of reclaimed domestic wastewater to other users shall only be done by the Permittee or its designee. The Permittee shall prohibit public access to the reclaimed domestic wastewater system. b) Notify all recipients of reclaimed domestic wastewater for off-site transfers for oilfield activities in writing of the following. i. Reclaimed domestic wastewater is approved only for oil field company operations approved by OCD. ii. Transport vehicles, storage tanks, and storage impoundments containing reclaimed domestic wastewater shall have signs, in English and Spanish, identifying the contents as non-potable water and advising against consumption. The Permittee shall maintain a log of all recipients of reclaimed domestic wastewater and shall provide the log to NMED upon request. [20.6.2.3109 NMAC]
23.	The Permittee shall institute a backflow prevention method to protect wells and public water supply systems from contamination by reclaimed domestic wastewater prior to discharging to any reuse area(s). Backflow prevention shall be achieved by a total disconnect (physical air gap separation between the discharge pipe and the liquid surface at least twice the diameter of the discharge pipe), or by a reduced pressure principal backflow prevention assembly (RP) installed on the line between the fresh water supply wells or public water supply and the reclaimed domestic wastewater delivery system. The Permittee shall maintain backflow prevention at all times. The Permittee shall have RP devices inspected and tested by a certified backflow prevention assembly tester at the time of installation, repair or relocation and at least on an annual basis thereafter. The backflow prevention assembly tester shall have

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	successfully completed a 40-hour backflow prevention course based on the University of Southern California's Backflow Prevention Standards and Test Procedures, and obtained certification demonstrating completion. The Permittee shall have all malfunctioning RP devices repaired or replaced within 30 days of discovery. The Permittee shall cease using supply lines associated with the RP device until repair or replacement is complete. The Permittee shall maintain copies of the inspection and maintenance records and test results for each RP device associated with the backflow prevention program at a location available for inspection by NMED. [Subsection C of 20.6.2.3109 NMAC]
24.	The Permittee shall maintain fences around the Facility and the two-synthetically lined storage impoundments to restrict access by the general public and animals. The fences shall consist of a minimum of six-foot chain link or field fencing and locking gates. The Permittee shall maintain the fences to serve the stated purpose throughout the term of this Discharge Permit. [Subsections B and C of 20.6.2.3109 NMAC, NMSA 1978, § 74-6-5.D]
25.	The Permittee shall maintain signs indicating that the wastewater at the Facility and the two-synthetically line storage impoundments is not potable. The Permittee shall post signs at the Facility and storage impoundments entrances and other locations where there is potential for public contact with wastewater. The Permittee shall print the signs in English and Spanish and shall ensure the signs remain visible and legible for the term of this Discharge Permit. [Subsections B and C of 20.6.2.3109 NMAC, NMSA 1978, § 74-6-5.D]
26.	The Permittee shall maintain the impoundment liners to avoid conditions that could affect the liner or the structural integrity of the impoundments. Characterization of such conditions may include the following: • erosion damage; • animal burrows or other damage; • the presence of vegetation including aquatic plants, weeds, woody shrubs, or trees growing within five feet of the top inside edge of a sub-grade impoundment, within five feet of the toe of the outside berm of an above-grade impoundment, or within the impoundment itself; • the presence of large debris or large quantities of debris in the impoundment; • evidence of seepage; or • evidence of berm subsidence.

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	The Permittee shall routinely control vegetation growing around the impoundments by mechanical removal that is protective of the impoundment liner. The Permittee shall visually inspect the impoundments and surrounding berms on a monthly basis to ensure proper maintenance. In the event that inspection reveals any evidence of damage that threatens the structural integrity of an impoundment berm or liner, or that may result in an unauthorized discharge, the Permittee shall implement the Contingency Plan set forth in this Discharge Permit. The Permittee shall create and maintain a log of all impoundment inspections which describes the date of the inspection, any findings and repairs and the name of the person responsible for the inspection. The Permittee shall make the log available to NMED upon request. [Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]
27.	The Permittee shall preserve a minimum of two feet of freeboard, i.e., the liquid level, in the impoundments and the elevation of the lowest-most top of the impoundment liner. In the event that the Permittee determines that it cannot preserve two feet of freeboard in the impoundment, the Permittee shall implement the Contingency Plan set forth in this Discharge Permit. [Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]
28.	The Permittee shall properly manage all solids generated by the treatment system to maintain effective operation of the system by removing solids as necessary and in accordance with associated equipment manufacturer's specifications. The Permittee shall contain, transport, and dispose of solids removed from the treatment process in accordance with all local, state, and federal regulations. [Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]
29.	The Permittee shall utilize operators, certified by the State of New Mexico at the appropriate level pursuant to 20.7.4 NMAC, to operate the wastewater collection, treatment, and disposal systems. A certified operator or a direct supervisee of a certified operator shall perform the operations and maintenance of all or any part of the wastewater system. The Permittee shall notify the NMED within 24 hours if at any time the Permittee no longer has a certified operator maintaining the system.

#	Terms and Conditions
	[Subsection C of 20.6.2.3109 NMAC, 20.7.4 NMAC]

B. MONITORING AND REPORTING

#	Terms and Conditions
30.	The Permittee shall conduct the monitoring, reporting, and other requirements listed below in accordance with the monitoring requirements of this Discharge Permit. [Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]
31.	METHODOLOGY - Unless otherwise specified by this Discharge Permit, or approved in writing by NMED, the Permittee shall use sampling and analytical techniques that conform with the references listed in Subsection B of 20.6.2.3107 NMAC. [Subsection B of 20.6.2.3107 NMAC]
32.	Quarterly monitoring - The Permittee shall perform monitoring and other Permit required actions during the following periods and shall submit quarterly reports to NMED by the following due dates: • January 1st through March 31st – **due by May 1st;** • April 1st through June 30th – **due by August 1st;** • July 1st through September 30th – **due by November 1st; and** • October 1st through December 31st – **due by February 1st.** [Subsection A of 20.6.2.3107 NMAC]

Monitoring Actions with Implementation Deadlines

#	Terms and Conditions
33.	Prior to discharging reclaimed domestic wastewater from the two-synthetically lined storage impoundments to any newly approved reuse area, the Permittee shall install the following flow meter. A totalizing flow meter installed on the transfer line from the synthetically lined storage impoundments to the newly approved reuse area to measure the volume of reclaimed domestic wastewater discharged to the new reuse area.

#	Terms and Conditions
	The Permittee shall submit confirmation of meter installation, type, calibration, and location to NMED prior to discharging reclaimed domestic wastewater from the impoundments to the reuse area. [Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]
34.	Prior to discharging treated wastewater from the Facility to the surface disposal area, the Permittee shall install the following flow meter. A totalizing flow meter installed on the transfer line from the Facility to the surface disposal area to measure the volume of treated wastewater discharged to the surface disposal area. The Permittee shall submit confirmation of meter installation, type, calibration, and location to NMED prior to discharging reclaimed domestic wastewater from the WWTF to the surface disposal area. [Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]
35.	Prior to discharging treated wastewater to the surface disposal area, the Permittee shall submit a written groundwater monitoring well location proposal for NMED review and approval. The proposal shall designate the installation locations of the monitoring wells required by Condition #36 of this Discharge Permit. The proposal shall include, at a minimum, the following information. a) A map showing the proposed location of the monitoring wells in relation to the boundary of the source it is intended to monitor. b) A written description of the specific location proposed for the monitoring wells including the distance (in feet) and direction of the monitoring wells from the edge of the source it is intended to monitor. Examples include: 35 feet north-northwest of the northern berm of the synthetically lined impoundment; 45 feet due south of the leachfield; and 30 feet southeast of the reuse area 150 degrees from north. c) A statement describing the groundwater flow direction beneath the surface disposal area, and documentation and/or data supporting the determination. The Permittee must have NMED's approval of all monitoring well locations prior to their installation. [Subsection A of 20.6.2.3107 NMAC]
36.	Prior to discharging treated wastewater to the surface disposal area, the Permittee shall install the following new monitoring wells. a) One monitoring well (MW-S6) located hydrologically upgradient of the surface

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	disposal area. b) One monitoring well (MW-S7) located 20 to 50 feet hydrologically downgradient of the surface disposal area. c) One monitoring well (MW-S8) located at an alternate location from MW-S7 and 20 to 50 feet hydrologically downgradient of the surface disposal area. The Permittee shall complete the wells in accordance with the attached Monitoring Well Guidance. Unless otherwise noted in this Discharge Permit, the requirement to install a monitoring well downgradient of a source is not contingent upon construction of the Facility, or discharge of wastewater from the Facility. [Subsection A of 20.6.2.3107 NMAC]
37.	Prior to discharging treated wastewater to the surface disposal area and following the installation of the monitoring wells required by this Discharge Permit, the Permittee shall sample groundwater in the wells and analyze the samples for total Kjeldahl nitrogen (TKN), nitrate-nitrogen (NO_3-N), TDS, and chloride (Cl). The Permittee shall perform groundwater sample collection, preservation, transportation, and analysis according to the following procedure. a) Measure the depth-to-most-shallow groundwater from the top of the well casing to the nearest one-hundredth of a foot. b) Purge three well volumes of water from the well prior to sample collection. c) Obtain samples from the well for analysis. d) Properly prepare, preserve, and transport samples. e) Analyze samples in accordance with the methods authorized in this Discharge Permit. Within 45 days of the installation of the monitoring wells the Permittee shall submit a well completion report to NMED. A well completion report shall at a minimum include: the Office of the State Engineer permit, well construction and lithologic logs, depth-to-most-shallow groundwater measurements, analytical results including the laboratory QA/QC summary report, and a facility layout map showing the location and number of each well. The Permittee shall insure the well completion report addresses each numbered item in the General Drilling and Well Specifications in the Monitoring Well Guidelines. [Subsection A of 20.6.2.3107 NMAC]
38.	Prior to discharging treated wastewater to the treated wastewater surface disposal area, the Permittee shall perform a professional survey of all groundwater monitoring wells

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	approved by NMED in Condition #36 for Discharge Permit monitoring purposes. The survey shall be tied or referenced to a U.S. Geological Survey (USGS) or other permanent benchmark. Survey data shall include northing, easting, and elevation to the nearest one-hundredth of a foot or shall be in accordance with the "Minimum Standards for Surveying in New Mexico" (12.8.2 NMAC). The survey shall bear the seal and signature of a licensed New Mexico professional surveyor (pursuant to the New Mexico Engineering and Surveying Practice Act and the rules promulgated under that authority). The Permittee shall utilize the survey to establish an elevation at the top-of-casing, with a permanent marking indicating the point of elevation. Depth-to-most-shallow groundwater shall be measured to the nearest one-hundredth of a foot in all surveyed wells and referenced to mean sea level, and the data shall be used to develop a groundwater elevation contour, i.e., potentiometric surface, map showing the location of all monitoring wells and the direction and gradient of groundwater flow in the uppermost aquifer below the surface disposal area. The Permittee shall submit the data and groundwater elevation contour map to NMED within 30 days of survey completion. [Subsection A of 20.6.2.3107 NMAC, NMSA 1978, §§ 61-23-1 through 61-23-32]

Groundwater Monitoring Conditions

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39.	The Permittee shall perform quarterly groundwater sampling in the following groundwater monitoring wells and analyze the samples for TKN, NO_3-N, TDS, and Cl. a) MW-S1, located hydrologically downgradient of the two-synthetically lined storage impoundments. b) MW-S2, located hydrologically downgradient of the community golf course. c) MW-S3, located hydrologically upgradient of the community golf course. d) MW-S4A, located hydrologically downgradient of the Facility. e) MW-S6, located hydrologically upgradient of the surface disposal area. f) MW-S7, located hydrologically downgradient of the surface disposal area. g) MW-S8, located at an alternate location from MW-S7 and hydrologically downgradient of the surface disposal area. The Permittee shall perform groundwater sample collection, preservation, transportation, and analysis according to the following procedures. a) Measure the depth-to-most-shallow groundwater from the top of the well casing to the nearest one-hundredth of a foot.

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	b) Purge three well volumes of water from the well prior to sample collection. c) Obtain samples from the well for analysis. d) Properly prepare, preserve and transport samples. e) Analyze samples in accordance with the methods authorized in this Discharge Permit. The Permittee shall submit the depth-to-most-shallow groundwater measurements and the laboratory analytical data results including the laboratory QA/QC summary report for each well, and a Facility layout map showing the location and number of each well to NMED in the quarterly monitoring reports. [Subsection A of 20.6.2.3107 NMAC]
40.	The Permittee shall develop a groundwater elevation contour map, i.e., potentiometric surface map, on a quarterly basis using the top of casing elevation data from the monitoring well survey and the most recent quarterly depth-to-most-shallow groundwater measurements, referenced to mean sea level, obtained during the groundwater sampling required by this Discharge Permit. The groundwater elevation contour map shall depict the groundwater flow direction based on the groundwater elevation contours. The Permittee shall estimate groundwater elevations between monitoring well locations using common interpolation methods. The Permittee shall use a contour interval appropriate to the data but shall not be greater than two feet. Groundwater elevation contour maps shall use arrows to depict the groundwater flow direction based on the orientation of the groundwater elevation contours and shall locate and identify each monitoring well and contaminant source. The Permittee shall submit to NMED a groundwater elevation contour map in the quarterly monitoring reports. [Subsection A of 20.6.2.3107 NMAC]
41.	NMED shall have the option to perform downhole inspections of all groundwater monitoring wells identified in this Discharge Permit. NMED shall establish the inspection date and provide at least a 60-day notice to the Permittee by certified mail. The Permittee shall remove any existing dedicated pumps at least 48 hours prior to NMED inspection to allow adequate settling time of sediment agitated from pump removal. Should the Permittee decide to install a pump in a monitoring well without a dedicated pump, the Permittee shall notify NMED at least 90 days prior to pump installation so that NMED can schedule a downhole well inspection(s) prior to pump placement.

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	[Subsections A and D of 20.6.2.3107 NMAC]

Facility Monitoring Conditions

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42.	The Permittee shall measure the total monthly volume, calculate the daily average volume, and record the daily peak volume of wastewater received by the treatment facility each month using a primary measuring device (equipped with head sensing, totalizing and chart recording/data logging mechanisms) located after the grit chamber. The Permittee shall submit the totalized average daily and peak daily influent volumes for each month to NMED in the quarterly monitoring reports. [Subsection A of 20.6.2.3107 NMAC, Subsections C and H of 20.6.2.3109 NMAC]
43.	The Permittee shall on a monthly basis measure the volume of Class 1B reclaimed domestic wastewater discharged to each reuse area using a totalizing flow meter. A meter shall be located on the transfer line between the reclaimed wastewater storage impoundments and each reuse area. The Permittee shall maintain a log that records the date that discharges occur to each reuse area and the monthly totalizing meter readings and units of measurement. The Permittee shall use the log to calculate the total monthly volume of reclaimed domestic wastewater discharged to each reuse area. The Permittee shall also use the monthly volume discharged to each reuse area on a LADS (copy enclosed) to calculate nitrogen loading. The Permittee shall submit a copy of the log for each reuse area to NMED in the quarterly monitoring reports. [Subsection A of 20.6.2.3107 NMAC, Subsections C and H of 20.6.2.3109 NMAC]
44.	The Permittee shall on a monthly basis measure the volume of treated wastewater discharged to the surface disposal area using a totalizing flow meter. The meter shall be located on the transfer line between the Facility and the surface disposal area. The Permittee shall maintain a log that records the date that discharges occur to the surface disposal area and the monthly totalizing meter readings and units of measurement. The Permittee shall use the log to calculate the total monthly volume of treated wastewater discharged the surface disposal area. The Permittee shall also use the monthly volume discharged to the surface disposal area on a LADS (copy enclosed) to calculate nitrogen loading. The Permittee shall submit a copy of the log for the surface disposal area to NMED in the quarterly monitoring reports.

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	[Subsection A of 20.6.2.3107 NMAC, Subsections C and H of 20.6.2.3109 NMAC]
45.	All flow meters shall be capable of having their accuracy verified under working (i.e., real-time in-the-field) conditions. The Permittee shall develop a field verification method for each flow meter and shall utilize that method to check the accuracy of each respective meter. The Permittee shall perform field calibrations, at a minimum, within 90 days of the issuance date of this Discharge Permit (**by DATE**), and then every other year thereafter. The Permittee shall also perform field calibrations upon repair or replacement of a flow measurement device. The Permittee shall calibrate each flow meter to its manufacturer's recommended specification which shall be no less accurate than plus or minus 10 percent of actual flow, as measured under field conditions. An individual knowledgeable in flow measurement shall perform field calibration and the installation/operation of the device in use. The Permittee shall prepare a flow meter calibration report for each flow measurement device calibration event. The flow meter calibration report shall include the following information. a) The location and meter identification. b) The method of flow meter field calibration employed. c) The measured accuracy of each flow meter prior to adjustment indicating the positive or negative offset as a percentage of actual flow as determined by an in-field calibration check. d) The measured accuracy of each flow meter following adjustment, if necessary, indicating the positive or negative offset as a percentage of actual flow of the meter. e) Any flow meter repairs made during the previous year or during field calibration. f) The name of the individual performing the calibration and the date of the calibration. The Permittee shall maintain records of flow meter calibration(s) at a location accessible for review by NMED during Facility inspections. [Subsection A of 20.6.2.3107 NMAC, Subsections C and H of 20.6.2.3109 NMAC]
46.	The Permittee shall, on a monthly basis, visually inspect flow meters for evidence of malfunction. The Permittee shall maintain a log of the inspections that includes a date of the inspection, findings and repairs, and the name of the inspector. The Permittee shall make the log available to NMED upon request. If a visual inspection indicates a flow meter is not functioning as required by this Discharge Permit, the Permittee shall repair or replace the meter within 30 days of discovery. For *repaired* meters, the Permittee shall submit a report to NMED with the next monitoring report following the repair that includes a description of the malfunction; a statement verifying the repair; and a flow meter field calibration report

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	completed in accordance with the requirements of this Discharge Permit. For *replacement* meters, the Permittee shall submit a report to NMED with the next monitoring report following the replacement that includes a design schematic for the device and a flow meter field calibration report completed in accordance with the requirements of this Discharge Permit. [Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]
47.	The Permittee shall collect samples of treated/reclaimed domestic wastewater after the disinfection unit on a quarterly basis and analyze the samples for: • TKN; • NO_3-N; • TDS; and • Cl. The Permittee shall properly prepare, preserve, transport, and analyze the samples in accordance with the methods authorized in this Discharge Permit. The Permittee shall submit the laboratory analytical data results, including the QA/QC summary and Chain of Custody, to NMED in the subsequent quarterly monitoring report. [Subsection A of 20.6.2.3107 NMAC, Subsections C and H of 20.6.2.3109 NMAC]
48.	During any two-week period that the discharge of reclaimed domestic wastewater occurs, the Permittee shall perform the following analyses on the wastewater samples collected after the disinfection unit using the following sampling method and frequency: • Fecal coliform: grab sample at peak daily flow once per week; • BOD_5: six-hour composite sample once per two weeks; • TSS: six-hour composite sample once per two weeks; and • TRC concentrations: record whenever collecting bacteria samples. The Permittee shall properly prepare, preserve, transport, and analyze the samples in accordance with the methods authorized in this Discharge Permit. The Permittee shall submit the laboratory analytical data results, including the QA/QC summary and Chain of Custody, and a copy of the log of TRC concentrations to NMED in the subsequent quarterly monitoring report. [Subsection A of 20.6.2.3107 NMAC, Subsections B, C and H of 20.6.2.3109 NMAC, NMSA 1978, § 74-6-5.D]
49.	During any month that the discharge of treated wastewater occurs, the Permittee shall perform the following analyses on the wastewater samples collected after the disinfection unit using the following sampling method and frequency:

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	• Fecal coliform: grab sample at peak daily flow once per month; and • TRC concentrations: record whenever collecting bacteria samples. The Permittee shall properly prepare, preserve, transport, and analyze the samples in accordance with the methods authorized in this Discharge Permit. The Permittee shall submit the laboratory analytical data results, including the QA/QC summary and Chain of Custody, and a copy of the log of TRC concentrations to NMED in the subsequent quarterly monitoring report. [Subsection A of 20.6.2.3107 NMAC, Subsections B, C and H of 20.6.2.3109 NMAC, NMSA 1978, § 74-6-5.D]
50.	By **December 31, 2022**, the Permittee shall characterize treated/reclaimed domestic wastewater for specific inorganic contaminants. The Permittee shall collect a 24-hour flow weighted composite sample (except as noted for pH) of treated/reclaimed domestic wastewater after the disinfection unit and analyze the sample for the following inorganic contaminants (dissolved fraction, except as noted): • aluminum (CAS 7429-90-5) • antimony (CAS 7440-36-0) • arsenic (CAS 7440-38-2) • barium CAS 7440-39-3) • beryllium (CAS 7440-41-7) • boron (CAS 7440-42-8) • cadmium (CAS 7440-43-9) • chromium (CAS 7440-47-3) • cobalt (CAS 7440-48-4) • copper (CAS 7440-50-8) • cyanide CAS 57-12-5) • fluoride (CAS 16984-48-8) • iron (CAS 7439-89-6) • lead (CAS 7439-92-1) • manganese (CAS 7439-96-5) • molybdenum (CAS 7439-98-7) • total mercury (nonfiltered) (CAS 7439-97-6) • pH (instantaneous) • nickel (CAS 7440-02-0) • radioactivity: combined radium-226 & radium-228 (CAS 15262-20-1) • selenium (CAS 7782-49-2) • silver (CAS 7440-224) • sulfate (CAS 14808-79-8) • thallium (CAS 7440-28-0) • uranium (CAS 7440-61-1) • zinc (CAS 7440-66-6) The Permittee shall properly collect, prepare, preserve, transport, and analyze the sample in accordance with the methods authorized in this Discharge Permit. The Permittee shall analyze the sample using methods with reporting limits that are less than the corresponding numerical groundwater standards identified in 20.6.2.3103 NMAC.

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	The Permittee shall submit a summary of measured concentrations compared with the corresponding groundwater standards, a copy of the laboratory report including the laboratory analytical data results, the QA/QC summary, and the Chain of Custody, to NMED in the monitoring reports due in the subsequent quarterly monitoring report. [Subsection A of 20.6.2.3107 NMAC, Subsections C and H of 20.6.2.3109 NMAC]
51.	By **December 31, 2022**, the Permittee shall characterize treated/reclaimed domestic wastewater for specific organic contaminants. The Permittee shall collect a grab sample of treated wastewater/reclaimed domestic wastewater after the disinfection unit and analyze the non-filtered sample for the following organic contaminants: • atrazine (CAS 1912-24-9) • benzene (CAS 71-43-2) • benzo-a-pyrene (CAS 50-32-8) • carbon tetrachloride (CAS 56-23-5) • chloroform (CAS 67-66-3) • 1,2-dichlorobenzene (CAS 95-50-1) • 1,4-dichlorobenzene (CAS 106-46-7) • 1,1-dichloroethane (CAS 75-34-3) • 1,2-dichloroethane (EDC, CAS 107-06-2) • 1,1-dichloroethene (1,1-DCE, CAS 75-35-4) • cis-1,2-dichloroethene (CAS 156-59-2) • trans-1,2-dichloroethene (CAS 156-60-5) • 1,2-dichloropropane (PDC, CAS 78-87-5) • 1,4-dioxane (CAS 123-91-1) (using EPA Method 8270D- SIM) • ethylbenzene (CAS 100-41-4) • ethylene dibromide (EDB, CAS 106-93-4) • methylene chloride (CAS 75-09-2) • PAHs: total naphthalene (CAS 91-20-3) plus monomethylnaphthalenes • phenols • polychlorinated biphenyls (PCBs, CAS 1336-36-3) • pentachlorophenol (CAS 87-86-5) • toluene (CAS 108-88-3) • styrene (CAS 100-42-5) • 1,1,2,2-tetrachloroethane (CAS 79-34-5) • tetrachloroethene (PCE, CAS 127-18-4) • 1,2,4-trichlorobenzene (CAS 120-82-1) • 1,1,1-trichloroethane (1,1,1-TCA, CAS 71-55-6) • 1,1,2-trichloroethane (CAS 79-00-5) • trichloroethene (TCE, CAS 79-01-6) • vinyl chloride (CAS 75-01-4) • total xylenes (CAS 1330-20-7) The Permittee shall properly collect, prepare, preserve, transport, and analyze the sample in accordance with the methods authorized in this Discharge Permit. The Permittee shall analyze samples using methods with reporting limits that are less than the corresponding numerical groundwater standards identified in 20.6.2.3103 NMAC. The reporting limit for 1,4-dioxane shall be less than the Tap Water Screening Level for 1,4-dioxane identified in the *NMED Risk Assessment Guidance for Site Assessments and*

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	Investigations, Table A-1 (available on the NMED Hazardous Waste Bureau's website under Guidance Documents). The Permittee shall submit a summary of measured concentrations compared with the corresponding groundwater standards, and a copy of the laboratory report including the laboratory analytical data results, the QA/QC summary, and the Chain of Custody to NMED in the monitoring reports due in the subsequent quarterly monitoring report. [Subsection A of 20.6.2.3107 NMAC, Subsections C and H of 20.6.2.3109 NMAC]
52.	The Permittee shall complete the LADS (copy enclosed) on a monthly basis that document the amount of nitrogen applied to each reuse location during each of the most recent 12 months. The monthly LADS entry shall reflect the total nitrogen concentration from the most recent wastewater analysis and the measured discharge volumes to each reuse location for each month. The Permittee shall complete the LADS with the information above or include a statement that application of wastewater to a reuse location did not occur. The Permittee shall submit a copy of the LADS to NMED in the subsequent quarterly monitoring report. [Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]
53.	The Permittee shall complete LADS (copy enclosed) on a monthly basis that document the amount of nitrogen applied to the surface disposal area during the most recent 12 months. The LADS shall reflect the total nitrogen concentration from the most recent wastewater analysis and the measured discharge volumes to the surface disposal area for each month. The Permittee shall complete the LADS with the information above or include a statement that application of wastewater did not occur. The Permittee shall submit the LADS to NMED in the subsequent quarterly monitoring report. [Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]
54.	The Permittee shall keep a Fertilizer Log (copy enclosed) that documents all additional nitrogenous fertilizer applied to each reuse location. The Log shall contain the date of fertilizer application, the type (organic or inorganic) and form (granular or liquid) of the fertilizer, nitrogen concentration (in percent) of the fertilizer, the amount of fertilizer applied (in pounds per acre), and the amount of nitrogen applied (in pounds per acre) for each location. The Permittee shall submit a copy of the Log, or a statement that application of fertilizer did not occur, to NMED in the subsequent quarterly monitoring report. [Subsection A of 20.6.2.3107 NMAC]

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55.	The Permittee shall submit records of solids disposal, including a copy of all Discharge Monitoring Reports (i.e., DMRs) required by the EPA pursuant to 40 CFR 503, for the previous calendar year, to NMED annually in the monitoring report due by February 1st each year. [Subsection A of 20.6.2.3107 NMAC]

C. CONTINGENCY PLAN

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56.	In the event that groundwater monitoring indicates that groundwater exceeds a standard identified in Section 20.6.2.3103 NMAC in a monitoring well with no previous exceedances of the chemical constituent at the date of issuance of this Discharge Permit, the Permittee shall collect a confirmatory sample from the monitoring well within 15 days of receipt of the initial sampling results to confirm the initial sampling results. Within 60 days of confirmation of groundwater contamination, the Permittee shall submit to NMED a Corrective Action Plan (CAP) that proposes, at a minimum, contaminant source control measures and an implementation schedule. The Permittee shall implement the CAP as approved by NMED. Once this groundwater exceedance response condition is invoked whether during the term of this Discharge Permit or after the term of this Discharge Permit and prior to the completion of the Discharge Permit closure plan requirements, this condition shall apply until the Permittee has fulfilled the requirements of this condition and groundwater monitoring confirms for a minimum of eight (8) consecutive quarterly samples that groundwater does not exceed the standards of Section 20.6.2.3103 NMAC. Violation of the groundwater standard beyond 180 days after the confirmation of groundwater contamination may cause NMED to require the Permittee to abate water pollution consistent with the requirements and provisions of Section 20.6.2.4101, Section 20.6.2.4103, Subsections C and E of 20.6.2.4106, Section 20.6.2.4107, Section 20.6.2.4108, and Section 20.6.2.4112 NMAC. [Subsection A of 20.6.2.3107 NMAC, Subsection E of 20.6.2.3109 NMAC]
57.	In the event that information available to NMED indicates that a well is not constructed in a manner consistent with the attached Monitoring Well Guidance; contains insufficient water to effectively monitor groundwater quality; or is otherwise not

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	completed in a manner that is protective of groundwater quality, the Permittee shall install a replacement well(s) within 120 days following notification from NMED. The Permittee shall survey the replacement monitoring well(s) within 30 days following well completion. The Permittee shall install replacement wells at locations approved by NMED prior to installation and shall complete replacement wells in accordance with the attachment Monitoring Well Guidance. The Permittee shall submit well construction and lithologic logs survey data and a groundwater elevation contour map to NMED within 60 days following well completion. The Permittee shall properly plug and abandon a monitoring well requiring replacement upon completion of the replacement monitoring well. The Permittee shall complete the well plugging and abandonment, and shall document the abandonment procedures, in accordance with the attachment Monitoring Well Guidance and all applicable local, state, and federal regulations. The Permittee shall submit a copy of the well abandonment documentation to NMED within 60 days following the replacement well completion. [Subsection A of 20.6.2.3107 NMAC]
58.	In the event that groundwater flow information obtained pursuant to this Discharge Permit indicates that a monitoring well is not appropriately located, e.g., hydrologically downgradient of the discharge location it is intended to monitor, the Permittee shall install a replacement well within 120 days following notification from NMED. The Permittee shall survey the replacement monitoring well within 30 days following well completion. In the event that groundwater flow information obtained pursuant to this Discharge Permit indicates that a monitoring well is not appropriately located, e.g., hydrologically downgradient of the discharge location it is intended to monitor, the Permittee shall install a replacement well within 120 days following notification from NMED. The Permittee shall survey the replacement monitoring well within 30 days following well completion. The Permittee shall install replacement wells at locations approved by NMED prior to installation and shall complete replacement wells in accordance with the attachment Monitoring Well Guidance. The Permittee shall submit construction and lithologic logs, survey data, and a groundwater elevation contour map within 60 days following well completion.

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	[Subsection A of 20.6.2.3107 NMAC]
59.	In the event that analytical results of a treated wastewater sample indicate an exceedance of the total nitrogen discharge limit set in this Discharge Permit, the Permittee shall collect and submit for analysis a second sample within 48 hours of the receipt of the initial sampling results. In the event the second sample results indicate an exceedance of the discharge limit, the Permittee shall implement the following contingencies. a) Within 7 days of the second sample analysis date indicating exceedance of the discharge limit, the Permittee shall: i) notify NMED that the Permittee is implementing the Contingency Plan; and ii) submit a copy of the first and second analytical results indicating an exceedance to NMED. b) The Permittee shall increase the frequency of total nitrogen wastewater sampling and analysis of treated wastewater to once per month. c) The Permittee shall examine the operation and maintenance log, required by the Record Keeping conditions of this Discharge Permit, for improper operational procedures. d) The Permittee shall conduct a physical inspection of the treatment system to detect abnormalities. The Permittee shall correct any abnormalities discovered. The Permittee shall submit a report to NMED detailing the corrections within 30 days of correction. e) In the event that any analytical results from monthly wastewater sampling indicate an exceedance of the total nitrogen discharge limit, the Permittee shall submit a CAP to NMED for approval proposing to modify operational procedures and/or upgrade the treatment process to achieve the total nitrogen limit. The Permittee shall submit the CAP including a schedule for completion of corrective actions and within 90 days of receipt of the analytical results of the second sample indicating that the discharge limit is continuing to be exceeded. The Permittee shall initiate implementation of the CAP following approval by NMED. When analytical results from three consecutive months of wastewater sampling do not exceed the discharge limit, the Permittee may request NMED authorize a return to a quarterly monitoring frequency. [Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]
60.	In the event that analytical results of a reclaimed domestic wastewater sample indicate an exceedance of any of the maximum discharge limits for BOD_5, TSS, or fecal coliform set by this Discharge Permit, the Permittee shall collect and submit for analysis a second sample within 24 hours after becoming aware of the exceedance. In the event the

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	second sample results confirm the exceedance of the maximum discharge limits, the Permittee shall implement the Contingency Plan below. In the event that analytical results of a reclaimed domestic wastewater sample indicate an exceedance of any of the 30-day average discharge limits for BOD_5, TSS, or fecal coliform set by this Discharge Permit (i.e., confirmed exceedance), the Permittee shall implement the Contingency Plan below. Contingency Plan a) Within 24 hours of becoming aware of a confirmed exceedance (as identified above), the Permittee shall: i) notify NMED that the Permittee is implementing the Contingency Plan; and ii) submit copies of the recent analytical results indicating an exceedance to NMED. b) The Permittee shall immediately cease discharging reclaimed domestic wastewater to all reuse areas and divert the treated wastewater to the surface disposal area. c) The Permittee shall examine the operation and maintenance log, required by the Record Keeping conditions of this Discharge Permit, for improper operational procedures. d) The Permittee shall conduct a physical inspection of the treatment system to detect abnormalities and shall correct any abnormalities discovered. The Permittee shall submit a report detailing the corrections made to NMED within 30 days following correction. When the analytical results from samples of reclaimed domestic wastewater, sampled as required by this Discharge Permit, no longer indicate an exceedance of any of the maximum discharge limits, the Permittee may resume discharging reclaimed domestic wastewater to the reuse areas. If a Facility is required to implement the Contingency Plan more than two times in a 12-month period, the Permittee shall propose to modify operational procedures and/or upgrade the treatment process to achieve consistent compliance with the maximum and 30-day average discharge limits by submitting a CAP for NMED approval. The Permittee shall ensure the CAP includes a schedule for completion of corrective actions and submit the CAP within 60 days following receipt of the analytical results confirming the exceedance. The Permittee shall initiate implementation of the CAP following approval by NMED. NMED may require, prior to recommencing discharge to the reuse area, additional sampling of any stored reclaimed domestic wastewater. [Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]

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61.	In the event that analytical results of a treated wastewater sample indicate an exceedance of any of the maximum discharge limit for fecal coliform set by this Discharge Permit, the Permittee shall collect and submit for analysis a second sample within 24 hours after becoming aware of the exceedance. In the event the second sample results confirm the exceedance of the maximum discharge limits, the Permittee shall implement the Contingency Plan below. In the event that analytical results of a treated wastewater sample indicate an exceedance of any of the 30-day average discharge limit for fecal coliform set by this Discharge Permit (i.e., confirmed exceedance), the Contingency Plan below shall be implemented. Contingency Plan a) Within 48 hours of becoming aware of a confirmed exceedance (as identified above), the Permittee shall: i) notify NMED that the Permittee is implementing the Contingency Plan; and ii) submit copies of the recent analytical results indicating an exceedance to NMED. b) The Permittee shall examine the operation and maintenance log, required by the Record Keeping conditions of this Discharge Permit, for improper operational procedures. c) The Permittee shall conduct a physical inspection of the treatment system to detect abnormalities. The Permittee shall correct any abnormalities discovered. The Permittee shall submit a report detailing the corrections made to NMED within 30 days following correction. If a Facility is required to implement the Contingency Plan more than two times in a 12-month period, the Permittee shall propose to modify operational procedures and/or upgrade the treatment process to achieve consistent compliance with the maximum and 30-day average discharge limits by submitting a CAP for NMED approval. The CAP shall include a schedule for completion of corrective actions and submitted within 60 days following receipt of the analytical results confirming the exceedance. The Permittee shall initiate implementation of the CAP following approval by NMED. NMED may require, prior to recommencing discharge to the reuse area, additional sampling of any stored reclaimed domestic wastewater in response to the submitted CAP. [Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]
62.	In the event that a LADS (copy enclosed) shows that the amount of nitrogen in wastewater applied in any 12-month period exceeds 200 pounds per acre, the Permittee shall propose the reduction of nitrogen loading to the affected reuse location(s) by submitting a CAP to NMED for approval. The Permittee shall ensure the CAP includes a

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	schedule for completion of corrective actions and submit the CAP to NMED within 90 days following the end of the monitoring period in which the exceedance occurred. The Permittee shall implement the CAP following approval by NMED. [Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]
63.	In the event that an inspection reveals significant damage has occurred or is likely to affect the structural integrity of an impoundment or liner or their ability to contain contaminants, the Permittee shall propose the repair or replacement by submitting a CAP to NMED for approval. The Permittee shall submit the CAP to NMED within 30 days after discovery of the damage or following notification from NMED that significant damage is evident. The Permittee shall ensure the CAP includes a schedule for completion of corrective actions. The Permittee shall initiate implementation of the CAP following approval by NMED. [Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]
64.	In the event that an impoundment cannot preserve a minimum of two feet of freeboard, the Permittee shall take actions to restore the required freeboard as authorized by this Discharge Permit and all applicable local, state, and federal regulations. In the event that two feet of freeboard cannot be restored within a period of 72 hours following discovery, the Permittee shall propose actions to restore two feet of freeboard by submitting a short-term CAP to NMED for approval. Examples of short-term corrective actions include the pumping and hauling of excess wastewater from the impoundment or reducing the volume of wastewater discharged to the impoundment. The Permittee shall ensure the CAP includes a schedule for completion of corrective actions. The Permittee shall submit the CAP within 15 days following the date the Permittee or the NMED discover the exceedance. The Permittee shall implement the CAP following NMED approval. In the event that the short-term corrective actions fail to restore two feet of freeboard, the Permittee shall submit to NMED a proposal for permanent corrective actions in a long-term CAP. The Permittee shall submit the long-term CAP within 90 days following failure of the short-term CAP. Examples corrective actions include the installation of an additional storage impoundment or a significant and permanent reduction in the volume of wastewater discharged to the impoundment. The Permittee shall ensure the long-term CAP includes a schedule for completion of corrective actions. The Permittee shall implement the CAP following NMED approval. [Subsection A of 20.6.2.3107 NMAC]

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65.	In the event that a release occurs that is not authorized under this Discharge Permit (commonly known as a "spill"), the Permittee shall take measures to mitigate damage from the unauthorized discharge and initiate the notifications and corrective actions required in Section 20.6.2.1203 NMAC and summarized below. Within 24 hours following discovery of the unauthorized discharge, the Permittee shall verbally notify NMED and provide the following information. a) The name, address, and telephone number of the person or persons in charge of the Facility, as well as of the owner and/or operator of the Facility. b) The name and address of the Facility. c) The date, time, location, and duration of the unauthorized discharge. d) The source and cause of unauthorized discharge. e) A description of the unauthorized discharge, including its estimated chemical composition. f) The estimated volume of the unauthorized discharge. g) Any actions taken to mitigate immediate damage from the unauthorized discharge. Within one week following discovery of the unauthorized discharge, the Permittee shall submit written notification to NMED providing the information listed above and any pertinent updates. Within 15 days following discovery of the unauthorized discharge, the Permittee shall submit a CAP to NMED describing any corrective actions previously taken and corrective actions to be taken relative to the unauthorized discharge. The CAP shall include the following information. a) A description of proposed actions to mitigate damage from the unauthorized discharge. b) A description of proposed actions to prevent future unauthorized discharges of this nature. c) A schedule for completion of proposed actions. In the event that the unauthorized discharge causes or may with reasonable probability cause groundwater pollution in excess of the standards and requirements of Section 20.6.2.4103 NMAC, and the water pollution will not be abated within 180 days after notice is required to be given pursuant to Paragraph (1) of Subsection A of 20.6.2.1203 NMAC, NMED may require the Permittee to abate water pollution pursuant to Sections 20.6.2.4000 through 20.6.2.4115 NMAC. The Permittee shall not construe anything in this condition as relieving them of the obligation to comply with all requirements of Section 20.6.2.1203 NMAC.

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	[20.6.2.1203 NMAC]
66.	In the event that NMED or the Permittee identifies any failures of the discharge plan, i.e., the application, or this Discharge Permit not specifically noted herein, NMED may require the Permittee to submit a CAP and a schedule for completion of corrective actions to address the failure(s). Additionally, NMED may require a discharge permit modification to achieve compliance with 20.6.2 NMAC. [Subsection A of 20.6.2.3107 NMAC, Subsection E of 20.6.2.3109 NMAC]

D. CLOSURE PLAN

Closure Actions with Implementation Deadlines

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67.	The Permittee shall perform the following closure measures in the event the existing WWTP, or component thereof, is replaced and proposed to be permanently closed. Within 60 days of ceasing to discharge to the impoundment(s), the Permittee shall plug the impoundment(s) influent line so that a discharge can no longer occur. Within 60 days of ceasing to discharge to the impoundment(s), the Permittee shall evaporate or drain all wastewater from the impoundment(s) and disposed of it in accordance with all local, state, and federal regulations. Within 90 days of ceasing to discharge to the impoundment(s), the Permittee shall submit a sludge removal and disposal plan to NMED for approval. The Permittee shall implement the plan within 30 days following approval by NMED. The sludge removal and disposal plan shall include the following information. a) The estimated volume and dry weight of sludge planned for removal and disposal, including measurements and calculations. b) Analytical results for samples of the sludge taken from the impoundment for TKN, NO_3-N, percent total solids, and any other parameters tested (reported in mg/kg, dry weight basis). c) The method of sludge *removal* from the impoundment(s). d) The method of *disposal* for all the sludge (and its contents) removed from the impoundment(s). The method shall comply with all local, state, and federal regulations, including 40 CFR Part 503. *Note: A proposal that includes the surface disposal of sludge may be subject to Groundwater Discharge Permitting requirements*

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	pursuant to 20.6.2.3104 NMAC that are separate from the requirements of this Discharge Permit. e) A schedule for completion of sludge removal and disposal not to exceed two years from the date discharge to the impoundment(s) ceased. Within <u>one year</u> following completion of the sludge removal and disposal, the Permittee shall complete the following closure measures. a) Remove all lines leading to and from the impoundment(s), or permanently plug and abandon the lines in place. b) Remove and dispose of the impoundment liners at a solid waste facility. If there is evidence of contaminated soil below the liners, assess the impact, report that assessment to NMED, and mitigate the impacts following NMED approval. c) Fill the impoundment(s) with suitable fill. d) Re-grade the impoundment site and the locations of ancillary equipment, e.g., influent piping, to blend with surface topography, promote positive drainage, and prevent ponding. [Subsection A of 20.6.2.3107 NMAC, Subsection D of 20.6.2.4103 NMAC, 40 CFR Part 503]

Permanent Facility Closure Conditions

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68.	The Permittee shall perform the following closure measures in the event the Facility, or a component of the Facility, is proposed to be permanently closed. Within <u>90 days</u> of ceasing to discharge to the treatment system, the Permittee shall complete the following closure measures. a) Plug the line leading to the system so that a discharge can no longer occur. b) Evaporate wastewater in the system components and storage impoundments, or drained and disposed of in accordance with all local, state, and federal regulations, or discharged from the system to the reuse area(s) as authorized by this Discharge Permit. The discharge of accumulated solids (sludge) to the reuse area(s) is prohibited. c) Contain, transport, and dispose of solids removed from the treatment system and storage impoundments in accordance with all local, state, and federal regulations, including 40 CFR Part 503. The Permittee shall maintain a record of all solids transported for off-site disposal. Within <u>180 days</u> of ceasing to discharge to the treatment system (or unit), the Permittee shall complete the following closure measures.

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	a) Remove all lines leading to and from the treatment system, or permanently plug and abandon them in place. b) Remove or demolish all treatment system components, and re-grade the area with suitable fill to blend with surface topography, promote positive drainage, and prevent ponding. c) Perforate or remove the storage impoundment liners; fill the impoundments with suitable fill; and re-grade the impoundment sites to blend with surface topography, promote positive drainage, and prevent ponding. The Permittee shall continue groundwater monitoring until the Permittee meets the requirements of this condition and groundwater monitoring confirms for a minimum of eight consecutive quarterly groundwater sampling events that groundwater does not exceed the standards of Section 20.6.2.3103 NMAC. This period is referred to as "post-closure." If at any time monitoring results show an exceedance of a groundwater quality standard in Section 20.6.2.3103 NMAC, the Permittee shall implement the Contingency Plan required by this Discharge Permit. Following notification from NMED that the Permittee may cease post-closure monitoring, the Permittee shall plug and abandon the monitoring well(s) in accordance with the attachment Monitoring Well Guidance. When the Permittee has met all closure and post-closure requirements and verified appropriate actions with date stamped photographic evidence or an associated NMED inspection, the Permittee may submit to NMED a written request, including photographic evidence, for termination of the Discharge Permit. [Subsection A of 20.6.2.3107 NMAC, Subsection D of 20.6.2.4103 NMAC, 40 CFR Part 503]

E. GENERAL TERMS AND CONDITIONS

#	Terms and Conditions
69.	RECORD KEEPING - The Permittee shall maintain a written record of the following: • Information and data used to complete the application for this Discharge Permit; • Information, data, and documents demonstrating completion of closure activities; • Any releases (commonly known as "spills") not authorized under this Discharge Permit and reports submitted pursuant to 20.6.2.1203 NMAC;

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	• The operation, maintenance, and repair of all facilities/equipment used to treat, store, or dispose of wastewater; • Facility record drawings (plans and specifications) showing the actual construction of the Facility and bear the seal and signature of a licensed New Mexico professional engineer; • Copies of logs, inspection reports, and monitoring reports completed and/or submitted to NMED pursuant to this Discharge Permit; • The volume of wastewater or other wastes discharged pursuant to this Discharge Permit; • Groundwater quality and wastewater quality data collected pursuant to this Discharge Permit; • Copies of construction records (well logs) for all sampled groundwater monitoring wells pursuant to this Discharge Permit; • The maintenance, repair, replacement, or calibration of any monitoring equipment or flow measurement devices required by this Discharge Permit; and • Data and information related to field measurements, sampling, and analysis conducted pursuant to this Discharge Permit, including the following: o the dates, locations, and times of sampling or field measurements; o the name and job title of the individuals who performed each sample collection or field measurement; o the sample analysis date of each sample; o the name and address of the laboratory, and the name of the signatory authority for the laboratory analysis; o the analytical technique or method used to analyze each sample or collect each field measurement; o the results of each analysis or field measurement, including raw data; o the results of any split, spiked, duplicate, or repeat sample; and o a copy of the laboratory analysis chain-of-custody as well as a description of the quality assurance and quality control procedures used. The Permittee shall maintain the written record at a location accessible to NMED during a Facility inspection for the lifetime of the Discharge Permit. The Permittee shall make the record available to NMED upon request. [Subsections A and D of 20.6.2.3107 NMAC]
70.	SUBMITTALS - The Permittee shall submit both a paper copy and an electronic copy of all notification and reporting documents required by this Discharge Permit, e.g., monitoring reports. The Permittee shall submit paper and electronic documents to the NMED Permit Contact identified on the Permit cover page.

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	[Subsection A of 20.6.2.3107 NMAC]
71.	INSPECTION and ENTRY - The Permittee shall allow NMED to inspect the Facility and its operations that are subject to this Discharge Permit and the WQCC regulations. NMED may, upon presentation of proper credentials, enter at reasonable times upon or through any premises in which a water contaminant source is located or in which any maintained records required by this Discharge Permit, the regulations of the federal government, or the WQCC are located. The Permittee shall allow NMED to have access to and reproduce for their use any copy of the records, and to perform assessments, sampling or monitoring during an inspection for the purpose of evaluating compliance with this Discharge Permit and the WQCC regulations. No person shall construe anything in this Discharge Permit as limiting in any way the inspection and entry authority of NMED under the WQA, the WQCC Regulations, or any other local, state, or federal regulations. [Subsection D of 20.6.2.3107 NMAC, NMSA 1978, §§ 74-6-9.B and 74-6-9.E]
72.	DUTY to PROVIDE INFORMATION - The Permittee shall, upon NMED's request, allow for NMED's inspection/duplication of records required by this Discharge Permit and/or furnish to NMED copies of such records. [Subsection D of 20.6.2.3107 NMAC]
73.	MODIFICATIONS and/or AMENDMENTS - In the event the Permittee proposes a change to the Facility or the Facility's discharge that would result in a change in the volume discharged; the location of the discharge; or in the amount or character of water contaminants received, treated, or discharged by the Facility, the Permittee shall notify NMED prior to implementing such changes. The Permittee shall obtain NMED's approval (which may require modification of this Discharge Permit) prior to implementing such changes. [Subsection C of 20.6.2.3107 NMAC, Subsections E and G of 20.6.2.3109 NMAC]
74.	PLANS and SPECIFICATIONS - In the event the Permittee proposes to construct a wastewater system or change a process unit of an existing system such that the quantity or quality of the discharge will change substantially from that authorized by this Discharge Permit, the Permittee shall submit construction plans and specifications of the proposed system or process unit to NMED for approval prior to the commencement of construction.

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	In the event the Permittee implements changes to the wastewater system authorized by this Discharge Permit that result in only a minor effect on the character of the discharge, the Permittee shall report such changes (including the submission of record drawings where applicable) to NMED prior to implementation. [Subsections A and C of 20.6.2.1202 NMAC, NMSA 1978, §§ 61-23-1 through 61-23-32]
75.	CIVIL PENALTIES - Any violation of the requirements and conditions of this Discharge Permit, including any failure to allow NMED staff to enter and inspect records or facilities, or any refusal or failure to provide NMED with records or information, may subject the Permittee to a civil enforcement action. Pursuant to WQA 74-6-10(A) and (B), such action may include a compliance order requiring compliance immediately or in a specified time, assessing a civil penalty, modifying or terminating the Discharge Permit, or any combination of the foregoing; or an action in district court seeking injunctive relief, civil penalties, or both. Pursuant to WQA 74-6-10(C) and 74-6-10.1, civil penalties of up to $15,000 per day of noncompliance may be assessed for each violation of the WQA 74-6-5, the WQCC Regulations, or this Discharge Permit, and civil penalties of up to $10,000 per day of noncompliance may be assessed for each violation of any other provision of the WQA, or any regulation, standard, or order adopted pursuant to such other provision. In any action to enforce this Discharge Permit, the Permittee waives any objection to the admissibility as evidence of any data generated pursuant to this Discharge Permit. [20.6.2.1220 NMAC, NMSA 1978, §§ 74-6-10 and 74-6-10.1]
76.	CRIMINAL PENALTIES – No person shall: • Make any false material statement, representation, certification, or omission of material fact in an application, record, report, plan, or other document filed, submitted, or maintained under the WQA; • Falsify, tamper with, or render inaccurate any monitoring device, method, or record maintained under the WQA; or • Fail to monitor, sample, or report as required by a permit issued pursuant to a state or federal law or regulation. Any person who knowingly violates or knowingly causes or allows another person to violate the requirements of this condition is guilty of a fourth-degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. Any person who is convicted of a second or subsequent violation of the requirements of this condition is guilty of a third-degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. Any person who knowingly violates the requirements of this condition or knowingly causes another person to violate the requirements of this condition and thereby causes a substantial adverse environmental impact is guilty of a

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	third-degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. Any person who knowingly violates the requirements of this condition and knows at the time of the violation that he is creating a substantial danger of death or serious bodily injury to any other person is guilty of a second degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. [20.6.2.1220 NMAC, NMSA 1978, §§ 74-6-10.2.A through 74-6-10.2.F]
77.	COMPLIANCE with OTHER LAWS - Nothing in this Discharge Permit shall be construed in any way as relieving the Permittee of the obligation to comply with any other applicable federal, state, and/or local laws, regulations, zoning requirements, nuisance ordinances, permits, or orders. [NMSA 1978, § 74-6-5.L]
78.	RIGHT to APPEAL - The Permittee may file a petition for review before the WQCC on this Discharge Permit. Such petition shall be in writing to the WQCC within thirty days of the receipt of postal notice of this Discharge Permit and shall include a statement of the issues raised and the relief sought. Unless the Permittee files a timely petition for review, the decision of NMED shall be final and not subject to judicial review. [20.6.2.3112 NMAC, NMSA 1978, § 74-6-5.O]
79.	TRANSFER of DISCHARGE PERMIT - Prior to the transfer of any ownership, control, or possession of this Facility or any portion thereof, the Permittee shall: • Notify the proposed transferee in writing of the existence of this Discharge Permit; • Include a copy of this Discharge Permit with the notice; and • Deliver or send by certified mail to NMED a copy of the notification and proof that the proposed transferee has received such notification. The Permittee shall continue to be responsible for any discharge from the Facility, until both ownership and possession of the Facility have been transferred to the transferee. [20.6.2.3111 NMAC]
80.	PERMIT FEES - The Permittee shall be aware that the payment of permit fees is due at the time of Discharge Permit approval. The Permittee may pay the permit fees in a single payment or they may pay the fee in equal installments on a yearly basis over the term of the Discharge Permit. The Permittee shall remit single payments to NMED no later than 30 days after the Discharge Permit issuance date. The Permittee shall remit initial installment payments to NMED no later than 30 days after the Discharge Permit issuance

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	date; with subsequent installment payments remitted to NMED no later than the anniversary of the Discharge Permit issuance date. Permit fees are associated with issuance of this Discharge Permit. No person shall construe anything in this Discharge Permit as relieving the Permittee of the obligation to pay all permit fees assessed by NMED. A Permittee that ceases discharging or does not commence discharging from the Facility during the term of the Discharge Permit shall pay all permit fees assessed by NMED. NMED shall suspend or terminate an approved Discharge Permit if the Permittee fails to remit an installment payment by its due date. [Subsection F of 20.6.2.3114 NMAC, NMSA 1978, § 74-6-5.K]

New Mexico Environment Department Ground Water Quality Bureau

Discharge Permit Summary

Facility Information

Facility Name City of Jal Wastewater Treatment Facility
Discharge Permit Number DP-59

Legally Responsible Party
Matt White, City Manager
City of Jal
P.O. Box 340
Jal, NM 88252
(575) 395-3340 ext. 221

Treatment, Disposal and Site Information

Primary Waste Type Domestic
Facility Type MUNI-Wastewater

Treatment Methods

Type	Designation	Description & Comments
Wastewater Treatment System	Wastewater Treatment System	The present wastewater treatment system consists of headworks (manual bar screen and grit chamber), a synthetically lined aeration impoundment with a capacity of 2,043,000 gallons, a synthetically lined settling impoundment with a capacity of 2,043,000 gallons, and a chlorine gas disinfection system.
Wastewater Treatment System-Replacement	Wastewater Treatment Plant	Replacement of the present wastewater treatment system is authorized by this Discharge Permit

Discharge Locations

Type	Designation	Description & Comments
Impoundment	Storage Impoundment #1	The south synthetically lined storage impoundment with a capacity of 5,500,000 gallons.
Impoundment	Storage Impoundment #2	The north synthetically lined storage impoundment with a capacity of 5,500,000 gallons.
Reuse Area	Community Golf Course	Reclaimed domestic wastewater used for spray irrigation of a 64-acre golf course.
Reuse Area	Future Locations	Reclaimed domestic wastewater used for spray irrigation of future, NMED approved, reuse areas within the City of Jal.
Surface Disposal Area	Surface Disposal Area	Treated wastewater is discharged using a spray disposal system to a 150-acre surface disposal area.
Transfer Class 1B	Water Hauler Load Out Station	Reclaimed wastewater transferred from a standpipe located at the two-synthetically lined storage impoundments to oil company operations with approval by the Oil Conservation Division.

Flow Metering Locations

Type	Designation	Description & Comments
Primary Measurement Device	WWTF Influent	Primary measurement device located after the WWTF's headworks.
Totalizing Flow Meter	Community Golf Course	Totalizing flow meter on the transfer line between the two-synthetically lined storage impoundments and the Community Golf Course.
Totalizing Flow Meter	Future Locations	Totalizing flow meter on the transfer line(s) between the two-synthetically lined storage impoundments and future, NMED approved, reuse locations within the City of Jal.
Totalizing Flow Meter	Treated Wastewater Disposal Area	Totalizing flow meter on the transfer line between the wastewater treatment system and the treated wastewater disposal area.

Ground Water Monitoring Locations

Type	Designation	Description & Comments
Monitoring Well	MW-S1	Located downgradient of the two-synthetically lined storage impoundments.
Monitoring Well	MW-S2	Located downgradient of the Community Golf Course.
Monitoring Well	MW-S3	Located upgradient of the Community Golf Course.
Monitoring Well	MW-S4A	Located downgradient of the wastewater treatment system.
Monitoring Well	MW-S6	Intended to be located upgradient of the surface disposal area.
Monitoring Well	MW-S7	Intended to be located downgradient of the surface disposal area.
Monitoring Well	MW-S8	Intended to be located at an alternate location from MW-S7 and downgradient of the surface disposal area.

Depth-to-Ground Water 37 to 79 feet
Total Dissolved Solids (TDS) 1,700 mg/L

Permit Information

Original Permit Issued June 29, 1979
Permit Renewal and Modification November 9, 1984
Permit Renewal December 12, 1989
Permit Renewal May 1, 1995
Permit Renewal January 12, 2001
Permit Renewal November 10, 2008
Permit Renewal November 17, 2015

Current Action **Permit Renewal and Modification**
Application Received July 20, 2020 and September 22, 2020
Public Notice Published [not yet published]
Permit Issued (Issuance Date) [issuance date]
Permitted Discharge Volume 420,000 gallons per day

NMED Contact Information

Mailing Address	Ground Water Quality Bureau P.O. Box 5469 Santa Fe, New Mexico 87502-5469
GWQB Telephone Number	(505) 827-2900
NMED Lead Staff	Gerald Knutson
Lead Staff Telephone Number	(505) 660-7189
Lead Staff Email	gerald.knutson@state.nm.us